1	EDMUND G. BROWN JR., Attorney General	
2	of the State of California JOSE R. GUERRERO, State Bar No. 97276	
3	Supervising Deputy Attorney General CATHERINE E. SANTILLAN	
4	Senior Legal Analyst 455 Golden Gate Avenue, Suite 11000	
5	San Francisco, CA 94102-7004 Telephone: (415) 703-5579	
6	Facsimile: (415) 703-5480	
7	Attorneys for Complainant	
8	BEFORE THE RESPIRATORY CARE BOARD	
9	DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA	
10	In the Matter of the Accusation Against:	Case No. 1H 2007 121
11	AARON JOHN HALLMARK	STIPULATED SURRENDER OF
12	150 Brayton Loop Yuba City CA 95993	LICENSE AND ORDER
13	D 1 0 D 11 11 N 21710	
14	Respiratory Care Practitioner License No. 21719	
15	Respondent.	
16		
17	IT IS HEREBY STIPULATED AND AGREED by and between the parties in this	
18	proceeding that the following matters are true:	
19	<u>PARTIES</u>	
20	1. Stephanie Nunez (Complainant) is the Executive Officer of the	
21	Respiratory Care Board of California. She brought this action solely in her official capacity and	
22	is represented in this matter by Edmund G. Brown Jr., Attorney General of the State of	
23	California, by Catherine E. Santillan, Senior Legal Analyst.	
24	2. Aaron John Hallmark (Respondent) is representing himself in this	
25	proceeding and has chosen not to exercise his right to be represented by counsel.	
26	3. On or about October 23, 2000, the Respiratory Care Board of California	
27	issued Respiratory Care Practitioner License No. 21719 to Respondent. The license was in full	
28	force and effect at all times relevant to the charges b	rought in Accusation No. 1H 2007 121 and

will expire on July 31, 2008, unless renewed.

<u>JURISDICTION</u>

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4. Accusation No. 1H 2007 121 was filed before the Board, Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on January 16, 2008.

Respondent timely filed his Notice of Defense contesting the Accusation. A copy of Accusation No. 1H 2007 121 is attached as Exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

- Respondent has carefully read, and understands the charges and allegations
 Accusation No. 1H 2007 121. Respondent also has carefully read, and understands the effects
 of this Stipulated Surrender of License and Order.
- 6. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at his own expense; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.
- 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

- 8. Respondent admits the truth of each and every charge and allegation in Accusation No. 1H 2007 121, agrees that cause exists for discipline and hereby surrenders his Respiratory Care Practitioner License No. 21719 for the Board's formal acceptance.
- 9. Respondent understands that by signing this stipulation he enables the Board to issue an order accepting the surrender of his Respiratory Care Practitioner license without further process.

CONTINGENCY

- Board. Respondent understands and agrees that counsel for Complainant and the staff of the Board may communicate directly with the Board regarding this stipulation and surrender, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.
- 11. The parties understand and agree that facsimile copies of this Stipulated Surrender of License and Order, including facsimile signatures thereto, shall have the same force and effect as the originals.
- 12. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Order:

ORDER

IT IS HEREBY ORDERED that Respiratory Care Practitioner License No. 21719, issued to Respondent Aaron John Hallmark is surrendered and accepted by the Respiratory Care Board.

- 13. The surrender of Respondent's Respiratory Care Practitioner license and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Board.
- 14. Respondent shall lose all rights and privileges as a respiratory care practitioner in California as of the effective date of the Board's Decision and Order.
- 15. Respondent shall cause to be delivered to the Board both his wall and pocket license certificate on or before the effective date of the Decision and Order.

1	16. Respondent fully understands and agrees that if he ever files an application		
2	for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a		
3	petition for reinstatement. Respondent must comply with all the laws, regulations and		
4	procedures for reinstatement of a revoked license in effect at the time the petition is filed, and all		
5	of the charges and allegations contained in Accusation No. 1H 2007 121 shall be deemed to be		
6	true, correct and admitted by Respondent when the Board determines whether to grant or deny		
7	the petition.		
8	17. Should Respondent ever apply or reapply for a new license or certification,		
9	or petition for reinstatement of a license, by any other health care licensing agency in the State of		
10	California, all of the charges and allegations contained in Accusation No. 1H 2007 121 shall be		
11	deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of		
12	Issues or any other proceeding seeking to deny or restrict licensure.		
13	18. Respondent shall pay the Board its costs of investigation and enforcement		
14	in the amount of \$1,010.00 prior to issuance of a new or reinstated license.		
15	<u>ACCEPTANCE</u>		
16	I have carefully read the Stipulated Surrender of License and Order. I understand		
17	the stipulation and the effect it will have on my Respiratory Care Practitioner license. I enter into		
18	this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and		
19	agree to be bound by the Decision and Order of the Respiratory Care Board.		
20	DATED: February 20, 2008		
21			
22	<u>Original signed by:</u> Aaron John Hallmark		
23	Respondent		
24			
25			
26			
27			
28			

ENDORSEMENT	
The foregoing Stipulated Surrender of License and Order is hereby respectfully	
submitted for consideration by the Respiratory Care Board of the Department of Consumer	
Affairs.	
DATED: February 25, 2008	
EDMUND G. BROWN JR., Attorney General of the State of California	
JOSE R. GUERRERO	
Supervising Deputy Attorney General	
Original signed by: CATHERINE É. SANTILLAN	
CATHERINE E. SANTILLAN Senior Legal Analyst	
Attorneys for Complainant	
DOJ Matter ID: SF2007403181 hallmark_a_stip_surr.wpd	

BEFORE THE RESPIRATORY CARE BOARD DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Case No. 1H 2007 121

AARON JOHN HALLMARK 150 Brayton Loop Yuba City CA 95993

Respiratory Care Practitioner License No. 21719

Respondent.

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted by the Respiratory Care Board, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on April 11, 2008.

It is so ORDERED April 1, 2008.

Originial signed by:

LARRY L. RENNER, BS, RRT, RCP, RPFT PRESIDENT, RESPIRATORY CARE BOARD DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA